

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

**BOARD OF TRUSTEES SHEET METAL
WORKERS' NATIONAL PENSION FUND,
et al.,**

Plaintiffs,

v.

NEW YORK CHUTES, LLC,

Defendant.

Case No. 1:22-cv-1294-PTG-WEF

ORDER

Upon consideration of Defendant's Motion to Dismiss ("Motion"), the memoranda submitted in support of and in opposition thereto, and argument, it is hereby:

ORDERED that the Motion be and is GRANTED; and it is further

ORDERED that the Second Amended Complaint in this matter is dismissed in its entirety with prejudice.

Dated: _____, 2024

Alexandria, Virginia

Hon. Patricia T. Giles
United States District Court for the
Eastern District of Virginia